

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 7004

BILL NUMBER: SB 333

NOTE PREPARED: Jan 9, 2008

BILL AMENDED:

SUBJECT: Government reorganization.

FIRST AUTHOR: Sen. Delph

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☐ **GENERAL**
☐ **DEDICATED**
☐ **FEDERAL**

IMPACT: Pending

Summary of Legislation: Provides that a public employee is considered to have resigned as an employee when the individual assumes an elected office at the same level of government at which the individual is employed. Exempts current office holders and employees as long as they continue to hold the same office. Provides that the legislative body of a second class city appoints the city clerk. Provides that individuals elected as city clerk at the 2007 elections may serve in that office until January 1, 2012. Requires that the members of the governing body of a school corporation be elected at the time of the general elections. Provides procedures to evaluate and terminate all state agencies and programs on a ten year cycle. Requires the schools of public and environmental affairs or business schools of Indiana University, Purdue University, Ball State University, Indiana State University, and the University of Southern Indiana to develop internship programs to give credit to students who perform the evaluation of state agencies and programs, and requires the universities to provide the evaluation service under the direction of the legislative services agency. Makes necessary appropriations to implement termination of an agency or agency program. Provides that a taxing unit whose governing body is not comprised of a majority of officials who are elected to serve on the governing body must submit its proposed budget and property tax levy for review by another specified legislative body whose members are elected. Allows officers of a political subdivision to transfer money between departments in the same fund of the political subdivision without notice and approval of the department of local government finance if the transfer meets certain requirements. Allows a city, town, or county to regulate and adopt civil penalties for littering on public property. Requires the state to pay for certain expenditures incurred by circuit, superior, county, and probate courts, including expenses related to court employees, including bailiffs, probation officers, and court reporters. Provides that each court shall submit its budget to the division of state court administration, and that the supreme court shall submit a consolidated budget to the budget agency and the general assembly. Requires the supreme court to adopt certain rules concerning court procedures and the employment and management of administrative officers.

Allows a political subdivision to make transfers to the political subdivision's rainy day fund after the last day of the political subdivision's fiscal year and before March 1 of the subsequent calendar year. Reduces the percentage of registered voters necessary to petition to initiate a governmental reorganization or to provide for approval of a governmental reorganization notwithstanding the rejection by a legislative body. Establishes a procedure for a township to reorganize itself under the local government reorganization statute. Provides that effective January 1, 2011, for a township not in Marion County that does not reorganize: (1) township governmental functions (other than township assessment functions) are abolished; (2) the offices of township trustee and township board (including duties and responsibilities related to township assistance, fire protection, cemetery maintenance, parks and recreation, and libraries) are abolished and transfers the duties and responsibilities of the township trustee and township board to the county; (3) establishes a county firefighting fund; (4) establishes a county cumulative building and equipment fund for firefighting; (5) transfers township fund balances to the county and specifies the permitted use of the money; (6) makes township indebtedness an obligation of the county, and requires the county to use money transferred from the township to pay the indebtedness; (7) allows the county to levy property taxes to pay indebtedness not covered by money transferred from the township, and specifies the areas in which the taxes may be levied; and (8) increases the county's maximum property tax levy based on the assumption of former township duties, and establishes a separate county maximum property tax levy for firefighting. Provides that in counties other than Marion County, the boards of county commissioners are eliminated effective January 1, 2011, the county executive is a single elected chief executive officer, and the county council is the county legislative body as well as the county fiscal body. Provides that the initial county chief executive officers are elected at the November 2010 general election. Provides that effective January 1, 2011: (1) the county treasurer, county auditor, and county assessor in Marion County no longer serve ex officio as county commissioners; and (2) the mayor of the consolidated city assumes the duties and powers held by those county commissioners. Establishes a public safety coordinating council in each county to coordinate public safety matters in the county. Provides that individuals elected to a local office at the 2011 municipal election take office January 1, 2013. Requires that successors of these individuals be elected at the 2016 general election. Requires the legislative services agency to prepare legislation to amend Indiana election law to provide that all municipal elections be held in even-numbered years. Makes other changes and conforming amendments. Repeals the procedures for legislative evaluation of state agencies. Repeals obsolete statutes

Effective Date: Upon passage; July 1, 2008; January 1, 2011.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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